REMARKS

Claims 1-24 were pending in the present application. Claims 6 was amended to correct a typographic error, however the scope of the claim 6 has not changed. Accordingly, claims 1-24 remain pending in the present application.

Claims 1-24 stand rejected under 35 U.S.C. §102(b) as being anticipated by Whitney et al. (U.S. Patent Number 5,842,214) (hereinafter 'Whitney'). Applicant respectfully traverses this rejection.

Applicant discloses at paragraph 0051

> "The MAN driver 474 of each domain 415, 420 <u>designates (at 520)</u>
> <u>one of the available paths 435(a-b), 440 as an "active" path for that</u>
> <u>domain.</u> The <u>"active" path in the illustrated embodiment may be</u>
> <u>the path that is utilized for communications</u> between the domain
> 415, 420 and the system control board 15(1-2). <u>That is, the "active"</u>
> <u>path may be an operational or functional path over which</u>
> <u>communications may occur.</u>" (Emphasis added)

Accordingly, Applicant's claim 1 recites an apparatus comprising

> "a storage unit adapted to store <u>a domain list</u> and <u>a path list</u>, wherein the
> domain list comprises a domain defined in a system and <u>the path</u>
> <u>list comprises</u> **one or more paths available for communications**
> <u>with the domain</u>; and
> a control unit communicatively coupled to the storage unit, the control unit
> **adapted to determine an active path from the one or more**
> **available paths** and <u>to transmit data to the domain over the active</u>
> <u>path.</u>" (Emphasis added)

6

The Examiner asserts that Whitney teaches each and every limitation recited in Applicant's claim 1. Applicant respectfully disagrees with the Examiner's characterization of Whitney and his extrapolation of that characterization to the Applicant's claims.

Specifically, Whitney is directed toward a <u>distributed file system that provides a unified name space</u> with efficient name resolution, wherein Whitney discloses

> "<u>A distributed file system uses objects to model the behavior of components of the distributed file system. Each object has an associated logical path name and physical address.</u> An aggregation of all the logical path names comprises a distributed name space which can be logically partitioned into domains. Each domain includes a domain folder object which maps logical path names of objects in the domain containing the domain folder object, into addresses in the distributed system where the objects are stored. <u>The addresses of the objects are used to access the objects</u> in order to retrieve information from the distributed system." (*See* Abstract) (Emphasis added)

In addition, Whitney teaches at col. 3, lines 45-65

> "The <u>distributed file system provides logical transparency for named objects in the file system so that **the path names of objects in the system are not intrinsically tied to their physical location**.</u> In addition, the distributed file system <u>organizes a name space for the distributed system into a single logical tree structure.</u> The distributed file system partitions the distributed system into administrative domains (which will be described in more detail below) which may each implement separate administrative and security policies. The security policy practiced by a domain may be independent of the distributed file system. <u>The distributed file system provides a super structure for "tying" together portions of the distributed system having heterogeneous file systems and heterogeneous network operating systems.</u> The distributed file system provides **name resolution services** to the file systems and the network operating system, but the distributed file system is transparent to the file systems and the network operating system." (Emphasis added)

Further, Whitney teaches at col. 5, lines 9-53

> "Before discussing the distributed file system in more detail, it is helpful to first introduce several concepts. <u>An "object" is a logical structure that includes data structures for holding data and may include functions that operate on data held in the data structures. An object may hold just data</u>

without including any functions. In the distributed file system, both hardware components and software components may be modeled as objects. Modeling the data processing resources as objects insulates programs from needing to know the particulars of the resource.
The objects provided within the distributed system 100 are stored in file system constructs known as "volumes". The volumes are organized hierarchically (as will be described in more detail below). A volume is a unit of physical storage supporting a file system and a set of files and directories which comprise a persistent store of objects. Each domain has its own volumes that hold objects for the domain and that define a name space that is local to the domain.
Each volume has an associated volume object that holds information that allows distributed name resolution to be performed on the volume. Each volume object describes **a single volume with a single entry path**. The information includes an entry path to the volume and the identity of a file server for handling requests to access the volume. Volume objects also store the entry paths for domains immediately superior to and immediately subordinate to the domain containing the volume object. Entry paths for all volumes in the domain containing the volume are also stored therein. The names of objects in the distributed system are organized into a distributed name space. FIG. 3 shows a simplified example of such a distributed name space 300 for a distributed system. The distributed file system makes the distributed name space visible. The distributed name space 300 is a single logical tree structure that graphically represents the named objects of the distributed system. The single tree structure provides a place for centralizing knowledge about the system and facilitates access to the entire name space. The distributed file system hides junctions between machines and domain so that the distributed system appears seamless. Thus, the differences between file systems present in the system and the differences between network operating systems present in the system are hidden in the distributed name space. **Each name** in the distributed name space 300 **corresponds to an object** within the distributed system." (Emphasis added)

Whitney also teaches at col. 6, lines 14-18 "The logical path name identifies an object, volume or other component within the distributed name space 300. The distributed file system of the preferred embodiment of the present invention provides a vehicle for resolving the logical path name to a physical address."

From the foregoing, it is clear that Whitney teaches a file system that resolves logical path names into physical addresses. Applicant submits a path name as used in Whitney (and many other file systems), corresponds to an abstraction that yields a pointer to single entity (e.g., file, object, etc.). In many file systems, there may be multiple

8

hierarchical layers of such abstractions. In Whitney, the abstraction is translated (or resolved) into a physical address that points to a location such as a storage location, for example. Applicant further submits that a path name, even when translated, is still just a pointer and not a physical communication path to an entity.

Accordingly, Applicant submits Whitney **does not teach or disclose** storing "a path list, wherein the domain list comprises a domain defined in a system and the path list comprises **one or more paths available for communications** with the domain. Applicant also submits Whitney **does not teach or disclose** "…the control unit adapted to determine **an active path from the one or more available paths** and **to transmit data** to the domain **over the active path**," as recite in Applicant's claim 1.

Thus, Applicant submits claim 1, along with its dependent claims, patentably distinguishes over Whitney for the reasons given above.

Claims 10 recites a method comprising
> "determining one or more domains defined in a processor-based system;
> determining **one or more available paths** to the one or more defined
>   domains;
> determining at least one active path from the one or more available paths
>   to each of the defined domains; and
> **transmitting data** to at least one of the defined domains **over the active
>   path**."

As described above in regard to claim 1, Whitney does not teach or disclose the features recited in claim 10. Accordingly, Applicant believes claim 10, along with its dependent claims, patentably distinguishes over Whitney for at least the reasons given above.
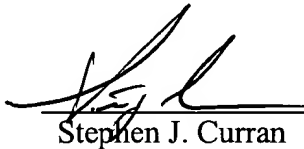
Claim 19 recites features that are similar to the features recited in claim 10. Accordingly, Applicant believes claim 19, along with its dependent claims, patentably distinguishes over Whitney for at least the reasons given above.

9

CONCLUSION

Applicant submits the application is in condition for allowance, and an early notice to that effect is requested.

If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/5681-52100/SJC.

Respectfully submitted,

Stephen J. Curran
Reg. No. 50,664
AGENT FOR APPLICANT(S)

Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C.
P.O. Box 398
Austin, TX 78767-0398
Phone: (512) 853-8800

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